

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.3725 of 1986
Date of Decision: 21.3.2007

The State of Punjab and another Petitioners

versus

Jarnail Singh Respondent

Present:- Shri Sushant Maini, Deputy Advocate General, Punjab
for the petitioners.

None for the respondent.

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the Authority under the Payment of Wages Act, 1936 (hereinafter to be referred as “the Act”) on 3.2.1986 and the order in appeal dated 28.4.1986,

The respondent has invoked the jurisdiction of the Authority under section 15 of the Act on the ground that his increments have been stopped by the petitioners herein which is not permissible. It is the stand of the petitioner that in pursuance of inquiry conducted against the petitioner, order dated 13.9.1978 was passed whereby increments of the respondent have been stopped.

After hearing learned counsel for the petitioner, I am of the opinion that the petition under section 15 of the Act, itself was not maintainable. It has been so held by this Court in the case of **State of**

Punjab vs. Dildar Singh, 2007(1) Service Cases Today 202 and General Manager, Punjab Roadways, Ropar vs. Swaran Singh, 2001 (3) RSJ 41, that the Authority constituted under the Payment of Wages Act, 1936, has no jurisdiction to interfere in the orders passed by the Disciplinary Authority against the employee concerned.

In view of the above, present revision petition is allowed and the impugned orders dated 3.2.1986 and 28.4.1986 are set aside and it is held that petition under section 15 of the Act itself is not maintainable.

21.3.2007
ds

(HEMANT GUPTA)
JUDGE